

U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: August 2, 1988
CASE NO. 85-CTA-55

IN THE MATTER OF

U.S. DEPARTMENT OF LABOR,

v.

INLAND MANPOWER ASSOCIATION.

BEFORE: THE SECRETARY OF LABOR

ORDER GRANTING STAY

Now before me is a request by counsel for the Inland Manpower Association (IMA) that I stay the implementation of the final decision in this case, whereby IMA is ordered to pay a sum of money to the U.S. Department of Labor (USDOL), pending direct review of that decision by the United States Court of Appeals for the Ninth Circuit.

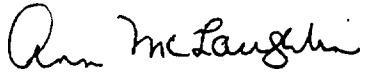
Upon consideration of the request, it is ORDERED that --

1. Implementation of the final decision in this case is STAYED pending review of it by the United States Court of Appeals for the Ninth Circuit; and that

2. The stay IS CONDITIONED UPON submission by IMA to USDOL, within 30 days of the issuance of this Order, of a written agreement by IMA that, within 30 days after the court of appeals' issuance of a decision favorable to USDOL, IMA shall pay in cash to USDOL the principal amount determined by the court to be owed to USDOL, and such further amount as may accrue

in interest during the pendency of the court's review at the interest rate(s) which USDOL would normally charge for delayed payment of the principal amount during that period.

SO ORDERED.



Secretary of Labor

Washington, D.C.



For Release: 11/8/89

**Department of the Treasury
Internal Revenue Service**

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Washington, DC 20224**

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IR-89-137

Washington -- The Internal Revenue Service today announced that interest rates for the calendar quarter beginning Jan. 1, 1990, will remain at ten percent for overpayments and eleven percent for underpayments.

Under the Tax Reform Act of 1986, the rate of interest is determined on a quarterly basis, and the rate on underpayments is one percent higher than the rate on overpayments. The rate announced today is computed from the federal short-term rate based on daily compounding determined during October 1989.

Rev. Rul. 89-125, announcing the new rates of interest, is attached and will appear in Internal Revenue Bulletin No. 1989-48, dated November 27, 1989.

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Part I.

Section 6621.-- Determination of Interest Rate

26 CFR.301.6621-1: Interest rate

Rev. Rul. 89-125

Section 6621 of the Internal Revenue Code establishes differential rates for allowance of interest on tax overpayments and assessment of interest on tax underpayments. Under section 6621(a)(1), the overpayment rate is the sum of the short-term federal rate plus 2 percentage points. Under section 6621(a)(2), the underpayment rate is the sum of the short-term federal rate plus 3 percentage points.

Section 6621(b)(1) of the Code provides that the Secretary shall determine the federal short-term rate for the first month in each calendar quarter.

Section 6621(b)(2)(A) of the Code provides that the federal short-term rate determined under section 6621(b)(1) for any month shall apply during the first calendar quarter beginning after such month.

Section 6621(b)(2)(B) of the Code provides that in determining the addition to tax under section 6654 for failure to pay estimated

tax for any taxable year, the federal short-term rate which applies during the 3rd month following such taxable year shall also apply during the first 15 days-of the 4th month following such taxable year.

Section 6621(b)(3) of the Code provides that the federal short-term rate for any month shall be the federal short-term rate determined during such month by the Secretary in accordance with section 1274(d), rounded to the nearest full percent (or, if a multiple of $1/2$ of 1 percent, the rate shall be increased to the next highest full percent).

Notice 88-59, 1988-1 C.B. 546, announced that in determining the quarterly interest rates to be used for overpayments and underpayments of tax under section 6621 of the Code, the Internal Revenue Service will use the federal short-term rate based on **daily** compounding because that rate is most consistent with section 6621 which, pursuant to section 6622, **is** subject to daily compounding.

Rounded to the nearest full percent, the federal short-term rate based on daily compounding determined during the month of October 1989 is 8 percent. Accordingly, an overpayment rate of 10 percent and an underpayment rate of 11 percent is established for the calendar quarter beginning January 1, 1990. The rates apply to amounts bearing interest during that calendar quarter.

The 11 percent rate also applies to estimated tax underpayments for the quarter and for the first 15 days in April.

Interest factors for daily compound interest for annual rates

of 10 percent and 11 percent were published in Tables 16 and 17 of Rev. Proc. 83-7, 1983-1 C.B. 583, 599, 600.

Annual interest rates to be compounded daily pursuant to section 6622 of the Code that apply for prior periods are set forth in the accompanying tables.

DRAFTING INFORMATION

The principal author of this revenue ruling is **Mary Jane Kossar** of the Office of the Assistant Chief Counsel (Income Tax & Accounting.) For further information regarding this revenue ruling contact Mrs. Kossar on (202) 566-3453 (not a toll-free call).

TABLE OF INTEREST RATES

PERIODS **BEFORE** JUL. 1, 1975 - DEC. 31, 1986

OVERPAYMENTS AND UNDERPAYMENTS

PERIOD	RATE	DAILY RATE TABLE IN 1983-1 C.B.
Before Jul. 1, 1975	6%	Table 2, pg. 586
Jul. 1, 1975--Jan. 31, 1976	9%	Table 4, pg. 588
Feb. 1, 1976--Jan. 31, 1978	7%	Table 3, pg. 587
Feb. 1, 1978--Jan. 31, 1980	6%	Table 2, pg. 586
Feb. 1, 1980--Jan. 31, 1982	12%	Table 5, pg. 588
Feb. 1, 1982--Dec. 31, 1982	20%	Table 6, pg. 588
Jan. 1, 1983--Jun. 30, 1983	16%	Table 22, pg. 605
Jul. 1, 1983--Dec. 31, 1983	11%	Table 17, pg. 600
Jan. 1, 1984--Jun. 30, 1984	11%	Table 41, pg. 625
Jul. 1, 1984--Dec. 31, 1984	11%	Table 41, pg. 625
Jan. 1, 1985--Jun. 30, 1985	13%	Table 19, pg. 602
Jul. 1, 1985--Dec. 31, 1985	11%	Table 17, pg. 600
Jan. 1, 1986--Jun. 30, 1986	10%	Table 16, pg. 599
Jul. 1, 1986--Dec. 31, 1986	9%	Table 15, pg. 598

TABLE OF INTEREST RATES

FROM JAN. 1, 1987 - PRESENT

	OVERPAYMENTS			UNDERPAYMENTS		
	RATE	TABLE	PG.	RATE	TABLE	PG.
Jan. 1, 1987--Mar. 31, 1987	8%	14	597	9%	15	598
Apr. 1, 1987--Jun. 1, 1987	8%	14	597	9%	15	598
Jul. 1, 1987--Sep. 30, 1987	8%	14	597	9%	15	598
Oct. 1, 1987--Dec. 31, 1987	9%	15	598	10%	16	599
Jan. 1, 1988--Mar. 31, 1988	10%	40	624	11%	41	625
Apr. 1, 1988--Jun. 1, 1988	9%	39	623	10%	40	624
Jul. 1, 1988--Sep. 30, 1988	9%	39	623	10%	40	624
Oct. 1, 1988--Dec. 31, 1988	10%	40	624	11%	41	625
Jan. 1, 1989--Mar. 31, 1989	10%	16	599	11%	17	600
Apr. 1, 1989--Jun. 30, 1989	11%	17	600	12%	18	601
Jul. 1, 1989--Sep. 30, 1989	11%	17	600	12%	18	601
Oct. 1, 1989--Dec. 31, 1989	10%	16	599	11%	17	600
Jan. 1, 1990--Mar. 31, 1990	10%	16	599	11%	17	600

CERTIFICATE OF SERVICE

Case Name: U.S. Department of Labor v. Inland Manpower Association

Case No. : 85-CTA-55

Document : Order Granting Stay

A copy of the above-referenced document was sent to the following persons on AUG 2 1988.

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